

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AMERICAN GENERAL HOME EQUITY
INC., a Delaware corporation,

Plaintiff,

v.

KENNETH E. ROBERSON SR and MARIA
LUZ-ROBERSON, husband and wife,
individually and the marital community
composed thereof; et al.,

Defendants.

CASE NO. C05-5135RJB

ORDER TO SHOW CAUSE

This matter comes before the court on review of the file.

On February 24, 2005, the court issued a Minute Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement. Dkt. 3. In that order, the court directed that the parties file a Combined Joint Status Report and Discovery Plan not later than May 25, 2005. *Id.* The court further directed that plaintiff's counsel serve copies of the minute order on all parties who appeared after the order was filed. *Id.* The court directed that plaintiff's counsel would be responsible for starting the communications needed to comply with the minute order. *Id.* The due date for the Combined Joint Status Report and Discovery Plan has been extended twice, most recently to August 24, 2005.

A Combined Joint Status Report and Discovery Plan has not been filed in this case, nor have the parties requested an additional extension of time. It is plaintiff's responsibility to initiate communications needed to comply with the court's orders requiring a Combined Joint Status Report and Discovery Plan, and plaintiff has

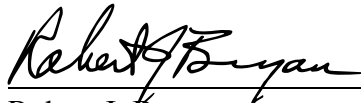
1 not shown that he has done so. The court should accordingly dismiss this case without prejudice under Local
2 Rule GR3 unless a Combined Joint Status Report and Discovery Plan is filed forthwith.

3 Therefore, it is hereby

4 **ORDERED** that, not later than **September 13, 2005**, the parties shall file a Combined Joint Status
5 Report and Discovery Plan, as required by Fed.R.Civ.P. 26(f) and Local Rule CR 16. If the Combined Joint
6 Status Report and Discovery Plan is not timely filed, the court will dismiss this case without prejudice.

7 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party
8 appearing *pro se* at said party's last known address.

9 DATED this 30th day of August 2005.

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12 Robert J. Bryan
13 United States District Judge
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